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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
BAUTISTA, XIOMARA L	
ART UNIT	**PAPER NUMBER**
2179	

DATE MAILED: 04/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/603,537	DRESEVIC ET AL.	
	Examiner	Art Unit	
	X. L. Bautista	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 June 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-24* is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 June 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *1/7/04,1/24/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-5, 7, 8, 10-12 and 14-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Becker et al* (US 6,192,341 B1) and *Gormish* (US 5,910,796).

Claims 1, 18:

Becker discloses a computer system for customizing a user output of a data processing system. Becker teaches that user preferences for visual user output is determined; and in response to determination of a user output, the user output is mapped to a second visual frequency in accordance with the user preference to obtain a customized user output (abstract; col. 1, lines 50-67). Becker teaches that after the user initiates assessment of visual acuity, an image is displayed and the user is prompted to enter an input corresponding to the display image. The image has a plurality of dots, where the coloration of the dots forms a geometric shape, alphanumeric character, or the like. By using the dots of appropriate color (luminous intensity values), the user's color differentiation can be evaluated (col. 5,

lines 63-67; col. 6, lines 12-12-20). The user's visual preferences include an offset that can be added to pixel color values (col. 6, lines 62-67). Pixels having color values corresponding to problem colors can be displayed a greater saturation or intensity, and the display parameters of the display device such as the contrast, resolution, and refresh rate can be enhanced (col. 7, lines 10-20, 60-65).

Becker does not teach displaying example images being generated using display parameters and that are user selectable. However, Gormish discloses a method of performing gamma correction for a display device. Gormish teaches that user input is received specifying a location on a first image whose color appears to math the overall color of a second image; then an estimate of the gamma of the display device is determined based on the location specified by the user input; next a correction value is determined based on the estimate of the gamma; the second image is then redisplayed using the correction value (abstract; col. 1, lines 49-58; col. 2, lines 29-31; col. 5, lines 52-67; col. 6; col. 7, lines 1-15). Therefore, it would have been obvious to one ordinarily skilled in the art at the time the invention was made to modify Becker's method for customizing a user output to include Gormish's teaching of selecting an image or a portion of an image to customize an image display because visual control and selection of an image for setting display parameters facilitates configuration and customization of a display that fits the needs of individual users.

Claims 2, 11, 19 and 22:

See claim 1. Becker teaches display parameters such as contrast, resolution, and refresh rate, which can be enhanced and Gormish teaches correction of a gamma value (Gormish: abstract; col. 1, lines 49-58; col. 2, lines 29-31; col. 5, lines 52-67; col. 6; col. 7, lines 1-15).

Claims 3, 15 and 20:

Becker explains that users can input their preferences to obtain a customized user output. The user is enabled to initiate an assessment of visual acuity wherein the user is prompted to enter an input corresponding to the display image that has dots of appropriate color, which helps to evaluate the user's color differentiation (col. 6, lines 12-22).

Claim 4 and 21:

Becker teaches that other strategies may be utilized to compensate for a user's visual acuity in order to offset color correction. Becker explains that pixels having color values corresponding to "problem" colors can be displayed at greater saturation or intensity; and the display parameters of a display device such as the contrast, resolution, and refresh rate can be enhanced (col. 7, lines 14-20). Becker does not explicitly teach a user input indicative of a preferred tradeoff between color accuracy and resolution. However, it would have been obvious to a person having ordinary skill in the art at the time of invention to include this setting in Becker's

invention because the user is enabled to select between the fineness of detail in an image and the true value of color in an image when precision in both parameters is not possible.

Claim 5:

Becker teaches a system that utilizes the user's preferences (profile) to customize a visual user output; the display parameters used to generate a desired image are stored in a profile (profile=a set of one or more standards and, where applicable, the identification of chosen classes, subsets, options, and parameters necessary for accomplishing a particular function), (col. 5, lines 13-16; col. 6, lines 50-60).

Claim 7:

See claim 1. Becker/Gormish teaches image samples, which are selected based on the display parameters (Becker: col. 5, lines 63-67; col. 6, lines 12-12-20, 62-67; col. 7, lines 10-20, 60-65; Gormish: col. 1, lines 49-58; col. 2, lines 29-31; col. 5, lines 52-67; col. 6; col. 7, lines 1-15).

Claims 8, 16:

Becker/Gormish teaches obtaining luminous intensity values by sampling the image data using displaced sampling operation to obtain the different sets of one or more samples (Becker: col. 5, lines 63-67; col. 6, lines 12-12-20, 62-67; col. 7, lines 10-20, 60-65; Gormish: col. 1, lines 49-58; col. 2, lines 29-31; col. 5, lines 52-67; col. 6; col. 7, lines 1-15).

Claims 10, 17:

See claim 1. Becker/Gormish teaches selection of different portions or locations of an image and pixels and subpixels that correspond to portions of the image. Every pixel (pixel subcomponent) corresponds to a specific portion (subportion) of an image therefore, all pixels and pixel subcomponents correspond to spatially different portions of the image.

Claims 12, 14:

See claim 1. Becker teaches a profile (user preferences) associated with the viewer and Gormish teaches a gamma value and selection/generation of example images.

3. Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Becker/Gormish* and *McLaughlin et al* (US 5,739,809).

Claim 6:

See claim 5. Becker does not teach that the display parameters stored in the profile are used regardless of the identity of the viewer who views the displayed image. However, McLaughlin teaches a profile for storing desired display parameters, which can be user-specified (parameters associated with a specific user) or default (display parameters are not associated with a specific user), (col. 14, lines 15-31). Therefore, it would have been obvious to an artisan in the art at the time of

invention to include McLaughlin's teaching of default display parameters in Becker's system because they can be used for the initial display so that a first user can decide whether those parameters are adequate to his/her needs or have to be changed.

Claim 9:

Becker/Gormish does not teach obtaining luminous intensity values by applying a scan conversion filter to a sample, the scan conversion filter having coefficients selected based on the display parameters. However, McLaughlin teaches that the processor analyzes measured data received from a calibrator and generates control signals (display parameters control data) as needed to conform the display device to a set of user-specified display parameters. The processor generates profile data from the measured data, where the profile data indicates a set of current display parameters, and then subtracts the profile data from desired profile data indicative of a set of user specified (or default) display parameters to generate "adjustment data" indicative of differences between the current and desired display parameters. The processor sends signals to the display device to change the "current" display parameters to match the "desired" display parameters (col. 14, lines 15-50). McLaughling explains that a CMS (color management system) software processes the profile data to generate accurate color translations for processing image data received from a peripheral device (such as a printer or

scanning device), (col. 14, lines 51-61). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include McLaughlin teaching of a profile associated with the user in Becker's method for customizing a user output by converting or filtering an image sample based on display parameters because the profile includes a set of data elements and information associated with the user that indicates the user's preference which are used to provide him/her with a desired or needed output and which is obtained by removing undesirable parameters.

4. Claims 13, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Becker/Gormish* and *Bellinger et al* (US 5,895,455).

Claims 13 and 23:

Becker/Gormish does not teach that the user can specify a preferred viewing position. However, Bellinger discloses a method for providing user access to a group of documents images; the user may specify a set of image properties so that each image in a group of images is presented for viewing with a particular orientation (abstract; col. 9, lines 20-34; col. 35, lines 49-67; col. 36, lines 1-15, 26-39; col. 37, lines 16-26). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Becker/Gormish method of customizing a visual user output to include Bellinger's teaching of

controlling the way an image is displayed because as Bellinger says, the desired image settings are entered one time and saved so that a large number of images can be displayed with the desired settings, which increases user efficiency and productivity.

Claim 24:

See claims 10 and 13. Becker/Gormish teaches selection of different portions or locations of an image and pixels and subpixels that correspond to portions of the image. Every pixel (pixel subcomponent) corresponds to a specific portion (subportion) of an image therefore, all pixels and pixel subcomponents correspond to spatially different portions of the image. Bellinger teaches user selection of a preferred viewing position.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Deering discloses a graphics system that generates a plurality of samples for a plurality of frames, wherein a sample-to-pixel calculation unit generates output pixels by filtering the rendered samples using a filter; Yamamoto et al discloses an image processor that matches a hue of an output image with a hue of a preview image, the system having a conversion unit that converts the input density data into luminance data in a predetermined color space, and a

color correction unit corrects color of the luminance data in accordance with the display characteristics and observation conditions of the display; Knox et al discloses a display apparatus with gamma correction, the apparatus having a drive means comprising a memory for storing a gamma value and gamma correction means for modifying the input video signal as a function of a gamma value; Seitz et al discloses a system having a character generator in a display system that stores signals representing various characters to be displayed, the signals having a number of bits to represent a different number of levels of gray-scale or luminance values for the various picture elements making up the character image; Branson discloses a system for acquiring images during a medical procedure having a storage device for storing for each user (or each medical procedure or each input device or each output device), information indicating processing operations to be performed on the images, and applying the images to an output device based on the stored information corresponding to the current user; Sidiropoulos et al discloses a system that transforms input image data into an image histogram, which is segmented into a small number of parts corresponding to structures of interest; and Goldberg et al discloses an interactive interface that enables users to change the viewing position of an image.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X. L. Bautista whose telephone number is (571)

272-4132. The examiner can normally be reached on Monday-Thursday 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

X. L. Bautista
Primary Examiner
Art Unit 2179

xlb
March 27, 2006